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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 RICHARD REES, et.al,

CASE NO. CV-F-05-00297 AWI LJO

12 Plaintiff,

**ORDER ON MOTION FOR FACILITATION  
OF NOTICE TO CLASS MEMBERS (Doc. 22)**

13 vs.

14 SOUZA'S MILK TRANSPORTATION,  
15 CO., et al.,

16 Defendants.  
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17 Pursuant to a notice filed on February 7, 2006, plaintiffs Richard Rees and Robert Winters bring  
18 a motion to facilitate notice to potential class members. Defendant Souza's Milk Transportation, Co.  
19 filed an opposition on February 21, 2006. This matter was submitted on the pleadings without oral  
20 argument pursuant to Local Rule 78-230(h). Having considered the moving and opposition papers, as  
21 well as the Court's file, the Court issues the following order.

22 As the Court has ruled in the other related cases, *Willis v. Cal-Western Transport*, CV-00-5695,  
23 *Baganha v. Cal. Milk Transport*, CV-01-5729, *Vasquez v. Jim Aartman, Inc.*, CV-02-5624, and *Aguayo*  
24 *v. Oldenkamp*, CV-04-6279, the Court finds it premature to grant the motion for notice to the class  
25 members. The District Court Judge has not ruled on the Findings and Recommendations recommending  
26 the classes be certified.

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1 The Court DENIES this motion without prejudice.

2 The Court will reconsider this motion, *sua sponte*, upon the District Court's ruling on the  
3 Findings and Recommendations.

4 IT IS SO ORDERED.

5 **Dated: March 22, 2006**  
b9ed48

/s/ Lawrence J. O'Neill  
UNITED STATES MAGISTRATE JUDGE